

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X	:	
MALIBU MEDIA, LLC,	:	
	:	Case No. 1:15-cv-03134-GBD
Plaintiff,	:	
	:	Judge Daniels
vs.	:	
	:	
JOHN DOE subscriber assigned IP address	:	
158.222.208.205,	:	
	:	
Defendant.	:	
-----X	:	

**MOTION FOR LEAVE TO SERVE A THIRD PARTY  
SUBPOENA PRIOR TO A RULE 26(f) CONFERENCE**

Pursuant to Fed. R. Civ. P. 26(d)(1), and upon the attached: (1) Memorandum of Law in support of this motion; (2) Declaration of Colette Field in support of this motion; (3) Declaration of Patrick Paige in support of this motion; and (4) Declaration of Tobias Fieser in support of this motion, Malibu Media, LLC ("Plaintiff"), respectfully moves for entry of an order granting it leave to serve a third party subpoena on Time Warner Cable, prior to a Rule 26(f) conference (the "Motion"). A proposed order is attached for the Court's convenience.

Respectfully submitted,

By: /s/ Jacqueline M. James  
Jacqueline M. James, Esq. (1845)  
The James Law Firm, PLLC  
445 Hamilton Avenue  
Suite 1102  
White Plains, New York 10601  
T: 914-358-6423  
F: 914-358-6424  
E-mail: jjameslaw@optonline.net  
*Attorneys for Plaintiff*